

Remarks/Arguments

Reconsideration of the above identified application is respectfully requested.

In the office action of March 20, 2007, the original claims were rejected as anticipated by or obvious in view of the Fernandez US Patent 6,697,103. While applicants find Fernandez difficult to understand in many respects, and particularly in regard to what is being enabled, applicants submit there are fundamental distinctions between applicants' invention and Fernandez, and applicants have presented claims 32-39 above to more specifically bring out those distinctions. Specifically, applicants don't find anything in Fernandez that would disclose, teach and enable someone in the art to produce output related to a key activity to an enterprise by receiving sensor data that is taken in by a sensor of a scene related to the enterprise, extracting solely from the sensor data an object and the state of activity for the object with respect to the state of activity for other physically and visually distinct objects in the sensor data, irrespective of object compliance, and processing the key activity data and the extracted data and determine whether to produce output that is related to the key activity.

In that important context, Applicants' system and method is fundamentally different from Fernandez, and applicant has written new claims 32-39 to emphasize that distinction. Specifically, claims 32-39 recite, *inter alia*, that applicants' concept includes a computer configured to (i) access key activity data comprising data related to activity of an object relative to other physically and visually distinct objects **in a predetermined scene related to the enterprise**, (ii) receiving sensor data that is taken in by a sensor of a scene related to the enterprise, (iii) **extracting solely from the sensor data one or more objects in the scene and the state of activity for each object with respect to the state of activity for other physically and visually distinct objects in the sensor data, irrespective of object compliance**, and (iv) process the key activity data and the extracted data and determine whether to produce output that is related to the key activity (boldface added).

In claims 32-39, applicants have sought to emphasize that in their concept, everything that is important to applicants' invention for use in managing key activity of interest within an enterprise is extracted solely from sensor data of a scene, including an object and the state of activity of the object with respect to the state of activity of other physically and visually distinct objects in the sensor data. Applicants respectfully submit that whatever Fernandez may disclose, teach and adequately enable, Fernandez does not disclose, teach and enable applicants' concept of receiving sensor data that is taken in by a sensor of a scene related to the enterprise, extracting solely from the sensor data plurality of objects and the state of activity for these objects with respect to the state of activity for other physically and visually distinct objects in the sensor data, irrespective of object compliance, and processing key activity data and the extracted data and determining whether to produce output that is related to the key activity.

It is respectfully submitted claims 32-39 all define this aspect of applicants' invention in a manner not disclosed by or obvious from Fernandez. However, if the examiner feels that additional claim language would be helpful in clearly limiting claims 32-39 in this respect against Fernandez, any suggestions of the examiner would be welcomed.

Moreover, claims 33-35 and 37-39 are intended to further develop this aspect of applicants' concept, in a manner not disclosed in or suggested by Fernandez. For example, claims 33 and 37 further develop that in applicants' concept, the computer is configured to make a preliminary determination from the sensor data as to whether to extract from the sensor data the object and the state of activity for an object with respect to the state of activity of other physically distinct objects in the sensor data, irrespective of objective compliance. Applicants cannot find anything comparable in Fernandez. In addition, claims 34 and 38 further develop that in applicants' concept, in extracting from the sensor data the object and the state of activity for the object with respect to other physically distinct objects in the sensor data, irrespective of object compliance, the computer is configured to determine if the object has been previously extracted from sensor data or is being initially extracted from the sensor data. Applicants cannot find anything comparable in Fernandez. Furthermore, claims 35 and 39 further develop that in applicants' concept, after the computer has processed the key activity data and the extracted data and determined whether to produce output that is related to the key activity, the computer is configured to receive additional sensor data taken in by the sensor of the predetermined scene

related to the enterprise, extract from the additional sensor data an object and the state of activity for the object with respect to the state of activity for other physically distinct objects in the sensor data, irrespective of object compliance, and process the key activity and the extracted data from the additional sensor data and determine whether to produce output that is related to the key activity. Applicants do not find anything comparable in Fernandez.

For the foregoing reasons, it is respectfully submitted the foregoing amendment will place this application in condition for allowance. Favorable action is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, reading "Lawrence R. Oremland".

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